

### **REMARKS**

The Official Action mailed March 12, 2007, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to July 12, 2007. Accordingly, the Applicant respectfully submits that this response is being timely filed.

Initially, it is noted that the Official Action does not specifically mention the *Supplemental Amendment* filed March 8, 2007 (received by OIPE March 12, 2007). The Applicant respectfully requests entry of the *Supplemental Amendment* at this time.

The Applicant appreciates Examiner Isaac's time in conducting an interview on July 10, 2007. During the interview, the Applicant's representative explained that U.S. Patent No. 6,165,876 to Yamazaki does not teach introducing an impurity of one conductivity type into an upper surface of a crystalline (or amorphous) semiconductor layer; and removing said upper surface portion of the crystalline semiconductor layer, after the irradiation step, either explicitly or inherently. The Examiner agreed to consider the Applicant's remarks following the submission of this *Amendment*.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on June 27, 2003; and August 22, 2006.

Claims 1-43 are pending in the present application, of which claims 1-4, 13, 19, 28, 29 and 44 are independent. Claims 2, 4, 6, 8, 10, 12, 25 and 27 have been withdrawn from consideration by the Examiner (page 2, Paper No. 20070304). Accordingly, claims 1, 3, 5, 7, 9, 11, 13-24, 26 and 28-43 are currently elected, of which claims 1, 3, 13, 19, 28, 29 and 44 are independent. Claims 1, 3, 13, 19, 28, 29 and 44 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1, 3, 5, 7, 9, 11, 13-24, 26 and 28-43 as anticipated by U.S. Patent No. 6,165,876 to Yamazaki. The Applicant respectfully

submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 1, 3, 13, 19, 28, 29 and 44 have been amended to recite introducing an impurity of one conductivity type into an upper surface of a crystalline (or amorphous) semiconductor layer; and removing said upper surface portion of the crystalline semiconductor layer, after the irradiation step. The Applicant respectfully submits that Figure 1 of Yamazaki does not teach the above-referenced features of the present invention, either explicitly or inherently.

Since Yamazaki does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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